

Attorney Docket: 060258-0280308
Client Reference: 2980611US/Hs/hvi

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re PATENT APPLICATION of:

Confirmation Number: 9558

HERAJARVI ET AL.

Application No.: 09/850,036

Group Art Unit: 2682

Filed: May 8, 2001

Examiner: PAN, YUWEN

Title: MESSAGE COMMUNICATION CHARGING

February 22, 2006

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REQUEST FOR RECONSIDERATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

02/23/2006 SZEWDIE1 00000033 033975 09850036
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Sir:

In response to the Office Action dated September 23, 2005, the date for response to which is February 23, 2006, with a two-month extension of time, please reconsider the patentability of the pending claims based on the following remarks.

By this Response, no claims are amended, added or cancelled. Accordingly, after entry of this Response, claims 1-14 will remain pending in the patent application. Reconsideration and allowance of the present patent application based on the following remarks are respectfully requested.

As a preliminary matter, Applicant wishes to point out that, *per* MPEP 707.07(f) “where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant’s argument and answer the substance of it.” (Emphasis added). The Examiner appears to have ignored the Office’s own guidelines by issuing a fourth Office Action that is a mere exact copy of the second Office Action dated August 13, 2004, without ever answering the substance of Applicant’s arguments related to the patentability of claims 1-14 over Hentilä *et al.* (U.S. Pat. No. 6,044,259) (hereinafter “Hentilä”) and Donovan *et al.* (U.S. Pat. No. 5,903726) (hereinafter “Donovan”) in the third